



**AGENDA**

**CITY COUNCIL REGULAR MEETING  
FEBRUARY 7, 2017 at 5:30 P.M.  
CITY HALL COUNCIL CHAMBERS  
815 NORTH KILGORE STREET**

**R. E. SPRADLIN, III – MAYOR**

**HARVEY MCCLENDON – MAYOR PRO TEM, PLACE 2**

**MERLYN HOLMES – COUNCIL MEMBER, PLACE 1**

**NEIL BARR – COUNCIL MEMBER, PLACE 3**

**VICTOR A. BOYD – COUNCIL MEMBER, PLACE 4**

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*Citizens may address the Council regarding any posted agenda item by filling out a speakers' card prior to the item being called. These presentations shall be limited to three minutes. The Mayor may extend the time limit.*

**A. Call to Order – Mayor Spradlin**

**B. Opening Prayer – Rev. Ron Strait, Highland Park Assembly of God**

**C. Pledges of Allegiance – U.S. flag and Texas flag (*"Honor the Texas flag. I pledge allegiance to thee, Texas, one state under God, one and indivisible."*)**

**D. Approval of the Agenda**

*This section shall approve of the order and content of the agenda. The Mayor or any Council member may ask for the order and/or content of the agenda to be modified under this item upon consent of a majority of the Council.*

**E. Public Forum**

*Citizens have an opportunity to address the City Council, which has no obligation to respond in any manner to comments or questions asked of them by the speaker. Any response by a member of the City Council is limited by Texas law to a statement of specific factual information, a recitation of existing policy, or a proposal to place the subject on the agenda for a future City Council meeting.*

**F. Items of Community Interest**

*This section of the agenda shall allow any member of the City Council, the Mayor, or the City Manager the opportunity to discuss minor, non-action items such as recognitions, scheduling, and upcoming civic events that are not listed on this agenda and which require no action by the Council.*

**G. Presentations**

- 1.** Presentation of Texas Best Practices certification to the Kilgore Police Department – Capt. Mike Bishop, Longview Police Department
- 2.** Update on Tourism Activity in the City of Kilgore – Ryan Polk, Tourism Manager, Kilgore Chamber of Commerce
- 3.** Recognition of B. J. Owen for achieving certification as "Certified Building Official" from the International Code Council – Josh Selleck, City Manager
- 4.** Presentation of Quarterly Investment Report – Josh Selleck
- 5.** Presentation of 2016 Annual Report – Josh Selleck
- 6.** Presentation on Remington Ph. III Townhome development – Carol Windham, Planning Director
- 7.** Update on FY17 Strategic Map regarding Interstate 20 – Seth Sorensen, Public Works Director
- 8.** Splash Park Project Update – Josh Selleck

**H. Consent Agenda**

*This section shall provide for items that require action by the Council, but where no discussion is anticipated. By a single motion, second and affirmative majority vote, items under this section are approved without further discussion or action. Any Council member may request the removal of any item from the Consent Agenda, in which case, the item shall be discussed and voted upon separately.*

- 1. Minutes of City Council regular meeting on January 24, 2017
- 2. Joint Election Agreements with Kilgore Independent School District and Kilgore College for sharing of expenses for the May 6, 2017 General Election

**I. Public Hearings/Ordinances/Resolutions**

- 1. Consider approval of Ordinance No. 1678, request to change zoning from “LM” Light Manufacturing to “GC” General Commercial at various addresses on Stone Street and on US Highway 259 Business – Carol Windham, Director of Planning
  - Public Hearing
  - Approval of Ordinance No. 1678

**J. Discussion and Possible Action Items**

- 1. Appointment by Council of one member to the Kilgore Planning and Zoning Board to fill the unexpired term for Place 5 – Carol Windham

**K. Executive Session**

*Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene in Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session to discuss any or all of the following topics:*

- 1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071
- 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072
  - Proposed infill project
- 3. Personnel matters pursuant to Section 551.074
- 4. Economic development negotiations pursuant to Section 551.087

**L. Take action on items in Executive Session**

**M. Adjournment**

Posted, City Hall Bulletin Board:

Removed, City Hall Bulletin Board:

\_\_\_\_\_ 02/02/2017  
 Deborah Dane Date

\_\_\_\_\_ \_\_\_\_\_  
 Deborah Dane Date

***This facility is wheelchair accessible, and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk’s office at 903-988-4127 or FAX 903-988-4131 for further assistance.***



**Investment Report for the period of:**

**10/1/2016 – 12/31/2016**

Reviewed by:

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Bill Martin, Director of Finance

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Joshua Selleck, City Manager



## ECONOMIC SUMMARY FOR 2016 AND OUTLOOK FOR 2017

After the U.S. presidential election results were received a massive inflow of global capital entered the US markets (primarily in stocks and commodities) as the perception that a business friendly administration in Washington would add a significant multiplier to the existing pace of growth. This perception was further amplified by comments from the Federal Reserve Bank that they may now have to increase short terms rates three times in 2017 instead of the expected two increases that would match what they did in 2016.

This expectation of accelerated growth has thrown the short term investment markets in which we operate into a bit of turmoil as the actual information shows growth is still anemic to this point. Because of this turmoil we have adopted much more of a wait and see strategy to let the markets decide whether fact or perception is the correct answer.

We will continue to look for term investments that will provide an incremental yield to the portfolio but at the same time we will maintain the higher measure of liquidity we currently have in place in order to allow things to settle down.

City of Kilgore TX.

Quarterly Portfolio  
Valuation Report\*

Opening Balance (Quarter ended 09/30/16)	\$	17,740,355.31
Closing Balance (Quarter ended 12/31/16)	\$	17,759,345.56
Market Value of securities (Quarter ended 09/30/16)	\$	1,501,552.50
Market Value of securities (Quarter ended 12/31/16)	\$	1,249,995.00
Book Value of securities (Quarter ended 12/31/16)	\$	1,250,619.00
Unrealized Gain (Loss)	\$	(624.00)
Net portfolio change **	\$	18,990.25

\* as required by the Texas  
Public Funds Investment Act

\*\* The fund balances will  
fluctuate as budgeted income  
is received and expenses are  
paid.

Interest earnings (Quarter ended 12/31/16)	\$	20,526.98
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City of Kilgore  
Portfolio Management  
Portfolio Details  
December 31, 2016

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 365	Maturity Date	Days to Maturity	
<b>Cert.of Deposit-Bank</b>											
888888883	115	BTH Bank	09/12/15	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	1.15%	1.15%	09/12/17	255	
888888881	113	Citizens Bank	07/25/15	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	0.45%	0.45%	07/25/17	206	
				<b>\$ 500,000.00</b>	<b>\$ 500,000.00</b>	<b>\$ 500,000.00</b>		<b>0.800%</b>		<b>231</b>	
<b>Municipal Bonds</b>											
836895EH1	139	S Carolin AG COP	09/21/16	\$ 500,000.00	\$ 500,495.00	\$ 500,618.62	1.50%	0.750%	03/01/17	59	
				<b>\$ 500,000.00</b>	<b>\$ 500,495.00</b>	<b>\$ 500,618.62</b>		<b>0.750%</b>		<b>152</b>	
<b>Checking</b>											
980052027	116	Frost Bank	10/30/15	\$ 754,321.61	\$ 754,321.61	\$ 754,321.61	0%	0%	12/01/16	1	
				<b>\$ 754,321.61</b>	<b>\$ 754,321.61</b>	<b>\$ 754,321.61</b>		<b>0%</b>		<b>1</b>	
<b>Negotiable CDs</b>											
60688MSS4	130	Mizuho Bank	03/30/16	\$ 248,000.00	\$ 248,000.00	\$ 248,000.00	0.65%	0.65%	03/30/17	89	
32026UBX3	137	First Foundation BK	06/15/16	\$ 248,000.00	\$ 248,000.00	\$ 248,000.00	0.70%	0.70%	06/15/17	165	
12556LACO	136	CIT Bank	06/21/16	\$ 248,000.00	\$ 248,000.00	\$ 248,000.00	0.70%	0.70%	06/21/17	171	
				<b>\$ 744,000.00</b>	<b>\$ 744,000.00</b>	<b>\$ 744,000.00</b>		<b>0.683%</b>		<b>142</b>	
<b>Federal Agencies</b>											
3130A84M2	133	Fed Home Loan Bk	06/29/16	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	1.00%	1.00%	06/29/18	546	
3134G96M4	138	Fed Home Loan Mtg	08/25/16	\$ 500,000.00	\$ 499,500.00	\$ 500,000.00	0.75%	1.28%	08/24/18	602	
				<b>\$ 750,000.00</b>	<b>\$ 749,500.00</b>	<b>\$ 750,000.00</b>		<b>1.19%</b>		<b>583</b>	
<b>Texpool</b>											
999999991	106	Texpool		\$ 463.06	\$ 463.06	\$ 463.06		0.498%	01/01/17	1	
999999991	110	Texpool		\$ 7,071,875.88	\$ 7,071,875.88	\$ 7,071,875.88		0.498%	01/01/17	1	
				<b>\$ 7,072,338.94</b>	<b>\$ 7,072,338.94</b>	<b>\$ 7,072,338.94</b>		<b>0.498%</b>		<b>1</b>	
<b>TexSTAR</b>											
999999992	100	TexSTAR		\$ 306,011.51	\$ 306,011.51	\$ 306,011.51		0.482%	01/01/17	1	
999999992	102	TexSTAR		\$ 92,973.34	\$ 92,973.34	\$ 92,973.34		0.482%	01/01/17	1	
999999992	105	TexSTAR		\$ 7,039,081.54	\$ 7,039,081.54	\$ 7,039,081.54		0.482%	01/01/17	1	
				<b>\$ 7,438,066.39</b>	<b>\$ 7,438,066.39</b>	<b>\$ 7,438,066.39</b>		<b>0.482%</b>		<b>1</b>	
<b>Portfolio Totals</b>											
				<b>\$ 17,758,726.94</b>	<b>\$ 17,758,721.94</b>	<b>\$ 17,759,345.56</b>		<b>0.522%</b>		<b>42</b>	

City of Kilgore TX.  
Economic Develop.  
Corp.

Quarterly Portfolio  
Valuation Report\*

Opening Balance (Quarter ended 09/30/16)	\$	8,990,754.01
Closing Balance (Quarter ended 12/31/16)	\$	7,909,650.97
Market Value of securites (Quarter ended 09/30/16)	\$	-
Market Value of securities (Quarter ended 12/31/16)	\$	-
Book Value of securities (Quarter ended 12/31/16)	\$	-
Unrealized Gain (Loss)	\$	-
Net portfolio change **	\$	(1,081,103.04)

\* as required by the Texas  
Public Funds Investment Act

\*\* The fund balances will  
fluctuate as budgeted income  
is received and expenses are  
paid.

Interest earnings (Quarter ended 12/31/16)	\$	8,896.96
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Kilgore Economic Development Corporation  
 Portfolio Details  
 December 31, 2016

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 365	Maturity Date	Days to Maturity
<b>Texpool</b>										
999999991	108	Texpool	09/01/14	\$ 6,014,553.94	\$ 6,014,553.94	\$ 6,014,553.94		0.498%	01/01/17	1
999999991	112	Texpool	11/17/15	\$ 380,505.45	\$ 380,505.45	\$ 380,505.45		0.498%	01/01/17	1
				<b>\$ 6,395,059.39</b>	<b>\$ 6,395,059.39</b>	<b>\$ 6,395,059.39</b>		<b>0.498%</b>		<b>1</b>
<b>TexSTAR</b>										
999999992	101	TexSTAR	09/01/14	\$ 1,312,670.42	\$ 1,312,670.42	\$ 1,312,670.42		0.482%	01/01/17	1
999999992	103	TexSTAR	09/01/14	\$ 201,921.16	\$ 201,921.16	\$ 201,921.16		0.482%	01/01/17	1
				<b>\$ 1,514,591.58</b>	<b>\$ 1,514,591.58</b>	<b>\$ 1,514,591.58</b>		<b>0.482%</b>		<b>1</b>
<b>Portfolio</b>	<b>Totals</b>			<b>\$ 7,909,650.97</b>	<b>\$ 7,909,650.97</b>	<b>\$ 7,909,650.97</b>		<b>0.495%</b>		<b>1</b>





**MINUTES  
REGULAR CITY COUNCIL MEETING  
JANUARY 24, 2017**

**R. E. SPRADLIN, III – MAYOR  
HARVEY MCCLENDON – MAYOR PRO TEM  
MERLYN HOLMES – COUNCIL MEMBER  
NEIL BARR – COUNCIL MEMBER  
VICTOR A. BOYD – COUNCIL MEMBER**

- A. Call to Order** – Mayor Spradlin called the meeting to order at 5:30 p.m.
- B. Prayer** – Rev. Ralph Rudy led the opening prayer.
- C. Pledges of Allegiance** – U.S. flag and Texas flag – Council Member Boyd led the pledges.
- D. Approval of the Agenda (2:25 on 01/24/17 Council Recording)**

**Motion: Mayor Pro Tem McClendon made the motion to approve the agenda as presented. Council Member Boyd seconded the motion, which carried unanimously.**

- E. Public Forum (3:00 on 01/24/17 Council Recording)**  
There were no requests to speak during Public Forum.

- F. Items of Community Interest (3:37 on 01/24/17 Council Recording)**
  - “Texas Two-Step” to benefit Boys & Girls Club and Habitat for Humanity this Saturday
  - District AMBUCS meeting at the East Texas Oil Museum this Friday
  - KISD Foundation annual gala at Meadowbrook Golf & Events Center on February 18
  - “Dough Boys & Dames” to benefit East Texas Treatment Center on February 25
  - Annual “Kilgogh” arts festival March 31 and April 1

- G. Presentations (7:53 on 01/10/17 Council Recording)**
  1. Police Chief Todd Hunter recognized Jacki Hargrove, Police Department Administrative Assistant, for 10 years’ service with the City of Kilgore.
  2. Seth Sorensen, Public Works Director, recognized Randy Barrilleaux, Water Department meter technician, for five years’ service with the City of Kilgore.
  3. Josh Selleck, City Manager, presented the Quarterly Financial Report for period ending December 31, 2016.
  4. Danny Downing, Director of Parks and Facilities, made a presentation regarding the new free mulch program at the City of Kilgore’s Green Waste Site, where city residents can obtain mulch between 8 a.m. and 4 p.m. Monday through Friday.
  5. Mr. Selleck gave Council an update on the City’s Trails Project, saying that groundbreaking on Phase I will be within a week to 10 days, with completion of Phase I scheduled this fall. The City will seek a one-year extension from Texas Parks & Wildlife on the project, which has undergone unforeseen delays since its approval in 2012.

**H. Consent Agenda (45:56 on 01/24/17 Council Recording)**

1. Minutes of City Council regular meeting on January 10, 3017
2. Minutes of KEDC meetings on November 22, 2016 and January 17, 2017
3. Four-year Lease Agreement with E-Z-GO to provide 15 golf carts at Meadowbrook golf course at a total cost of \$40,905.00 over the four-year term

**Motion: Mayor Pro Tem McClendon requested that Item H. 3. be removed for discussion later in the meeting. Mayor Spradlin said the item would be moved to Section J. Motion was seconded by Council Member Holmes and carried unanimously.**

**Motion: Council Member Boyd made the motion to approve the Consent Agenda as amended. Motion was seconded by Council Member Barr and carried unanimously.**

**I. Public Hearings/Ordinances/Resolutions (1:48:25 on 01/24/17 Council Recording)**

1. Consider approval of Ordinance No. 1670, Order of Election for the May 6, 2017 General Election for Mayor and City Council, Place 2

**Motion: Motion was made by Council Member Boyd to approve and adopt Ordinance No. 1670 as presented. Motion was seconded by Council Member Holmes and carried unanimously.**

2. Consider all matters incident and related to the issuance and sale of City of Kilgore, Texas, Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2017, including the adoption of Ordinance No. 1676 authorizing the issuance of such certificates of obligation.
3. Consider all matters incident and related to the issuance and sale of City of Kilgore, Texas, General Obligation Refunding Bonds, Series 2017, including the adoption of Ordinance No. 1677 authorizing the issuance of such bonds and providing for the redemption of the obligations being refunded

Mayor Spradlin opened the Public Hearing and recognized Mr. Selleck, who introduced Dusty Traylor with RBC Capital Markets, LLC. He gave a presentation to Council regarding final sale results for the City of Kilgore's Certificates of Obligation, Series 2017. Mr. Traylor told Council that the City of Kilgore was affirmed by Standard & Poor's for a "AA" bond rating with a stable outlook. Purchaser of the Certificates of Obligation is FTN Financial Capital Markets at a stated low-bid yield of 2.82 percent, making the TIC 20-year fixed rate 2.99 percent , with final maturity on February 15, 2036.

Mr. Traylor also gave a summary of final sale results for the City's General Obligation Refunding Bonds, Series 2017. Purchaser of the General Obligation Refunding Bonds was Cantor Fitzgerald at a stated low-bid yield of 2.22 percent, making the TIC 2.56 percent, with final maturity on August 15, 2028.

**Motion: Mayor Pro Tem McClendon made the motion to approve and adopt Ordinance No. 1676, as presented, authorizing the issuance of Certificates of Obligation, Series 2017. Motion was seconded by Council Member Barr and carried unanimously.**

**Motion: Mayor Pro Tem McClendon made the motion to approve and adopt Ordinance No. 1677, as presented, authorizing the issuance of General Obligation Refunding Bonds, Series 2017. Motion was seconded by Council Member Holmes and carried unanimously.**

4. Consider approval of the following ordinances providing updates to the City of Kilgore Building Codes:
  - Ordinance No. 1671 – International Mechanical Code
  - Ordinance No. 1672 – International Plumbing Code
  - Ordinance No. 1673 – International Residential Code
  - Ordinance No. 1674 – International Building Code
  - Ordinance No. 1675 – International Fuel Gas Code
    - a. Public Hearing
    - b. Approval of Ordinances 1671, 1672, 1673, 1674, and 1675

Mayor Spradlin opened the Public Hearing and recognized B.J. Owen, Director of Special Services, told Council these ordinances represent five of the nine total ordinances needed to bring the City of Kilgore's Building Code up to the 2012 code.

**Motion: Council Member Holmes made the motion to approve and adopt Ordinances 1671, 1672, 1673, 1674, and 1675, as presented, providing updates to the City of Kilgore Building Code. Motion was seconded by Council Member Boyd and carried unanimously.**

**J. Discussion and Possible Action Items (1:12:03 on 01/24/17 Council Recording)**

4. Per action under Agenda Item H., Council briefly discussed with Mr. Downing the four-year Lease Agreement with E-Z-GO to provide 15 golf carts at Meadowbrook golf course at a total cost of \$40,905.00 over the four-year term. Following discussion, Mayor Spradlin called for a motion regarding this item.

**Motion: Mayor Pro Tem McClendon made the motion to approve the lease agreement with E-Z-GO as presented for a total cost of \$40,905.00. Motion was seconded by Council Member Holmes and carried unanimously.**

**K. Executive Session (1:14:04 on 01/24/17 Council Recording)**

Mayor Spradlin closed the open meeting at 6:48 p.m. to convene into Executive Session to discuss the following items:

1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071
  - i. Discussion of contemplated litigation
2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072
  - ii. Discussion regarding 1306 Houston Street and adjacent properties
  - iii. Discussion regarding 2100 S. Commerce Street

**L. Take action on items in Executive Session (1:15:10 on 01/24/17 Council Recording)**

Mayor Spradlin reconvened into open meeting at 7:47 p.m., and Council took the following actions on items discussed in Executive Session:

**Motion: Regarding Item 2.ii., Council Member Boyd made the motion to authorize the City Manager to execute the following two related transactions:**

- a. A Property Exchange Agreement exchanging approximately .57 acres, an undevelopable narrow strip of land currently used as an overhead electric utility easement at 1306 Houston Street, for 25.205 acres of land located directly east of 1306 Houston Street; and
- b. Accept the donation of 7 ± acres of land adjacent to the exchanged parcel of 25.205 acres of land located directly east of 1306 Houston Street.

**Motion was seconded by Council Member Barr and carried unanimously.**

**Motion: Regarding Item 2. iii., Council Member Holmes made the motion to authorize the City Manager to negotiate and execute a License Agreement related to naming rights for the sports complex located at 2100 S. Commerce Street. Motion was seconded by Council Member Boyd and carried unanimously.**

**M. Adjournment**

**Motion: Upon a motion by Mayor Pro Tem McClendon and second by Council Member Barr, the meeting was adjourned at 7:55 p.m.**

**ATTEST:**

**CITY OF KILGORE, TEXAS**

\_\_\_\_\_  
**DEBORAH DANE, CITY CLERK**

\_\_\_\_\_  
**R. E. SPRADLIN, III, MAYOR**

**JOINT ELECTION AGREEMENT**  
**Between**  
**Kilgore College and the**  
**City of Kilgore**

**BY THE TERMS OF THIS AGREEMENT**, Kilgore College (KC), a local political subdivision, and the City do hereby agree, pursuant to the provisions of the Texas Election Code, to hold a joint election of the General Election of KC Board of Trustees and the General Election of the Kilgore City Council to be held on May 6, 2017 at Kilgore City Hall, 815 N. Kilgore Street, Kilgore, Texas.

KC and the City shall share equally according to the percentages set forth in the Joint Election Contract prepared by Gregg County in the expense of the early voting and election day polling locations, ballot programming, payroll of election workers, and other costs common to both elections upon receipt of satisfactory billing and invoices from the City reflecting the total of such expenses.

KC understands that the City has contracted with other local political subdivisions to provide election services. KC acknowledges, and does hereby give their consent, that such other local political subdivisions may use one or more of the same early voting locations, voting equipment, and the services of the early voting deputies and one or more of the same Election Day polling locations, voting equipment, and the services of the election workers.

In the event KC cancels its election, the election will be conducted at the same location(s) as planned, with the City paying all expenses for conducting the election.

This Agreement shall be valid for all elections held jointly by City and KC from the date of the last of KC and City to sign below, and shall continue until one of the Entities party to this Agreement gives a 30-day notice to the other Entity party that it no longer wishes to participate in the Agreement.

**APPROVED** by vote of the KC Board of Trustees on the \_\_\_\_ day of \_\_\_\_\_ 2017.

KILGORE COLLEGE

\_\_\_\_\_  
President, Board of Trustees

**APPROVED** by vote of the City Council of the City of Kilgore on the 7<sup>th</sup> day of February, 2017.

ATTEST:

CITY OF KILGORE

\_\_\_\_\_  
DEBORAH DANE, CITY CLERK

\_\_\_\_\_  
R. E. SPRADLIN, III, MAYOR

APPROVED AS TO FORM AND EFFECT:

\_\_\_\_\_  
ROBERT G. SCHLEIER, JR., CITY ATTORNEY

**JOINT ELECTION AGREEMENT**  
**Between**  
**Kilgore Independent School District (KISD) and the**  
**City of Kilgore (City)**

**BY THE TERMS OF THIS AGREEMENT**, KISD, a local political subdivision, and the City do hereby agree, pursuant to the provisions of the Texas Election Code, to hold a joint election of the General Election of KISD Board of Trustees and the General Election of the Kilgore City Council to be held on May 6, 2017 at Kilgore City Hall, 815 N. Kilgore Street, Kilgore, Texas.

KISD and the City shall share equally according to the percentages set forth in the Joint Election Contract prepared by Gregg County in the expense of the early voting and election day polling locations, ballot programming, payroll of election workers, and other costs common to both elections upon receipt of satisfactory billing and invoices from the City reflecting the total of such expenses.

KISD understands that the City has contracted with other local political subdivisions to provide election services. KISD acknowledges, and does hereby give their consent, that such other local political subdivisions may use one or more of the same early voting locations, voting equipment, and the services of the early voting deputies and one or more of the same Election Day polling locations, voting equipment, and the services of the election workers.

In the event KISD cancels its election, the election will be conducted at the same location(s) as planned, with the City paying all expenses for conducting the election.

This Agreement shall be valid for all elections held jointly by City and KISD from the date of the last of KISD and City to sign below, and shall continue until one of the Entities party to this Agreement gives a 30-day notice to the other Entity party that it no longer wishes to participate in the Agreement.

**APPROVED** by vote of the KISD Board of Trustees on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

KILGORE INDEPENDENT SCHOOL DISTRICT

\_\_\_\_\_  
President, Board of Trustees

**APPROVED** by vote of the City Council of the City of Kilgore on the 7<sup>th</sup> day of February, 2017.

ATTEST:

CITY OF KILGORE

\_\_\_\_\_  
DEBORAH DANE, CITY CLERK

\_\_\_\_\_  
R. E. SPRADLIN, III, MAYOR

APPROVED AS TO FORM AND EFFECT:

\_\_\_\_\_  
ROBERT G. SCHLEIER, JR., CITY ATTORNEY



*Council Communication  
February 7, 2017*

**Z01-17-001  
Zone Change Request**

**DESCRIPTION:**

Request to change the zoning from “LM” Light Manufacturing District to “GC” General Commercial District on lots 12,6,5,1A, 1B, and 2 of the Walmart Subdivision, tract 12-45 section 7 in the M Van Winkle Survey AB-208, tract 14, 14-01, 12-40, and 15-03 section 7 in the M Van Winkle Survey AB-208. A total of 11 lots located in the 1000-1200 block of Stone Street and four lots with addresses of 1409, 1413, and 1501 US Hwy 259 Business in Kilgore, Texas 75662.

**COMMENTS:**

A couple of months ago, City Council approved a zoning change to “GC” General Commercial District for the Bait Shop located just adjacent to the Kilgore Walmart. At that time, Staff began speaking about the adjacent properties that are still zoned for “LM” Light Manufacturing District. This area of the City is a major corridor for commercial development. Although most of the current uses can go into a light manufacturing district, if left as a “LM” Light Manufacturing District, land can be developed with several types of manufacturing plants (automotive, meat processing etc.), and other manufacturing uses according to the land use chart. Staff wants to see the commercial development protected from any future manufacturing uses.

I have visited with the property owners that are subject to the zoning change and they have not given me any indication that they are opposed to the City initiated rezoning. I have not received any letters of protest from anyone within the 200 ft. property owner notification and have not received any letters of protest from property owners affected. Additionally, there was no one from the public in attendance at the Planning and Zoning meeting on January 25, 2017 for this item. The Planning and Zoning Board was very much in favor of the request and believes that it is needed to protect this major commercial corridor.

**RECOMMENDATION:**

In a vote of 6-0 the Planning and Zoning Board unanimously approved the zone change request from “LM” Light Manufacturing District to “GC” General Commercial District.

*Council Communication*  
*February 7, 2017*





ORDINANCE NO.1678

AN ORDINANCE AMENDING ORDINANCE NO. 1415 OF THE CODE OF ORDINANCES OF THE CITY OF KILGORE, TEXAS BY PERMITTING THE FOLLOWING DESCRIBED PROPERTY, WHICH IS CURRENTLY ZONED "LM" LIGHT MANUFACTURING

lots 12,6,5,1A, 1B, and 2 of the Walmart Subdivision, tract 12-45 section 7 in the M Van Winkle Survey AB-208, tract 14, 14-01, 12-40, and 15-03 section 7 in the M Van Winkle Survey AB-208. A total of 11 lots located in the 1000-1200 block of Stone Street and four lots with addresses of 1409, 1413, and 1501 US Hwy 259 Business in Kilgore, Texas 75662.

See Exhibit "A"

TO BE USED "GC" GENERAL COMMERCIAL DISTRICT FOR ZONING COMPLIANCE FOR EXISTING BUSINESSES; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Board and the Governing Body of the City of Kilgore in compliance with the Charter of the City of Kilgore and the State Law with reference to the granting of rezonings under the Zoning Ordinance regulation, have given the requisite notices of publication and otherwise, and after holding due hearings, and affording a full and fair hearing to all the property owners, generally, and to the persons interested situated in the affected area, and in the vicinity thereof, the Governing Body of the City of Kilgore is of the opinion that a rezoning should be granted subject to the conditions set out herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILGORE, TEXAS:

SECTION 1: (A). That Ordinance No. 1415 enacted by the City Council of the City of Kilgore on the 27<sup>th</sup> day of January, 2009, be and the same is hereby amended by amending the zoning map and ordinance of the City of Kilgore so as to give the described property a change in zoning from "LM" Light Manufacturing District to "GC" General Commercial District.

SECTION 2: SEVERABILITY CLAUSE. That if any section, part, or provision of this Ordinance is declared unconstitutional or invalid, then, and in that event, it is expressly

provided, and it is the intention of the City Council in passing this Ordinance, that all other parts of this Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 3: PENALTY CLAUSE. That any person, firm or corporation violating any of the provisions of the Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the Corporation Court, shall be punished by fine not to exceed the maximum allowed by law for each offense, and each day that such offense shall continue shall constitute a separate offense.

SECTION 4: Effective Date. This ordinance shall become effective ten (10) days after approval and passage hereof.

PASSED AND APPROVED this 7<sup>TH</sup> Day of February, 2017.

CITY OF KILGORE, TEXAS

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R.E. SPRADLIN III, MAYOR

ATTEST:

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DEBORAH DANE, CITY CLERK

APPROVED AS TO FORM AND EFFECT:

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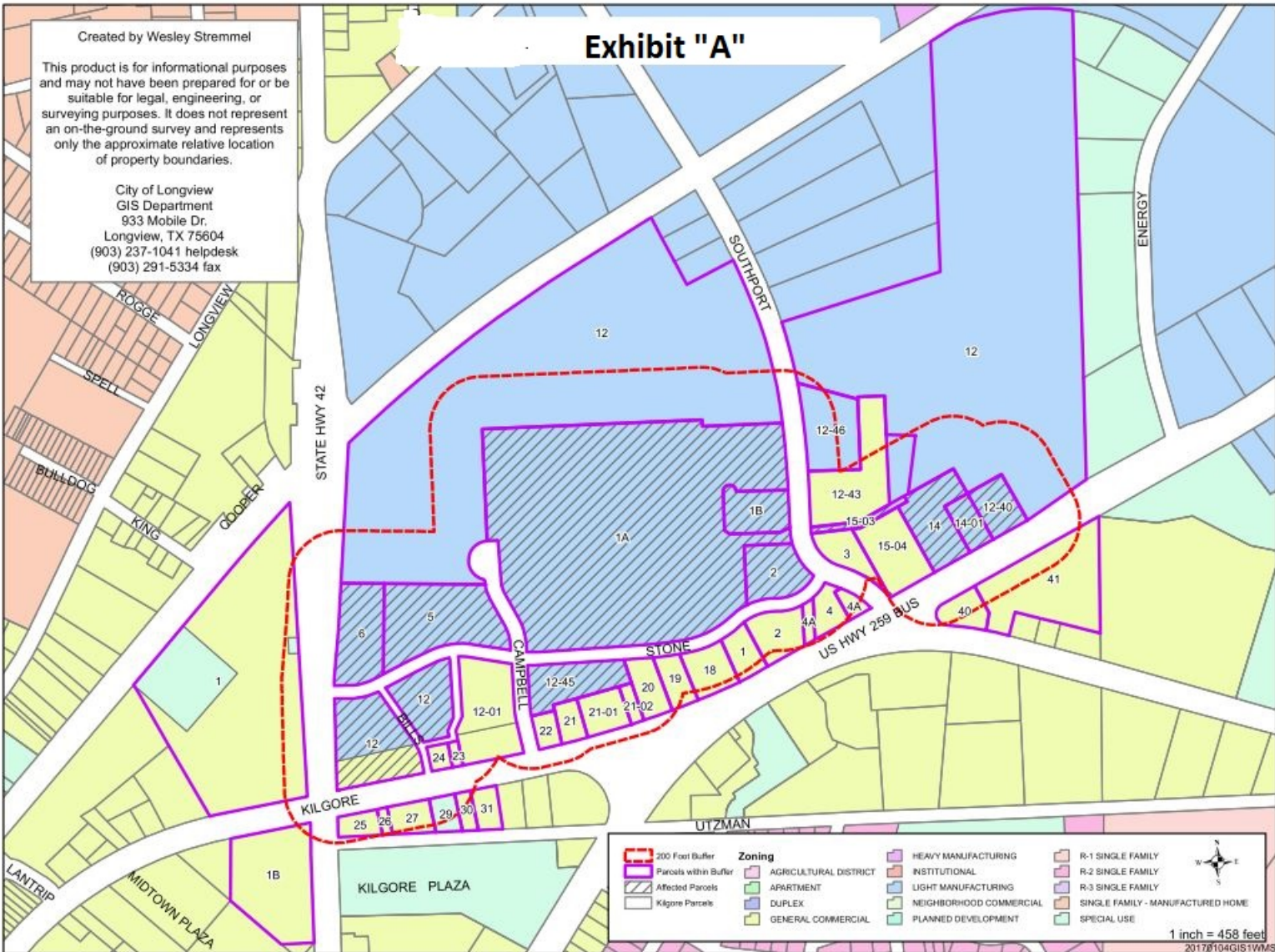
ROBERT G. SCHLEIER, JR., CITY ATTORNEY

# Exhibit "A"

Created by Wesley Stremmel

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

City of Longview  
 GIS Department  
 933 Mobile Dr.  
 Longview, TX 75604  
 (903) 237-1041 helpdesk  
 (903) 291-5334 fax



1 inch = 458 feet

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